

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ROBERT T. WALKER,

Plaintiff,

STEVEN ERVIN,

Defendant.

Case No. 2:15-cv-00514-JAD-PAL

**SCHEDULING ORDER FOR  
CIVIL RIGHTS ACTIONS FILED BY  
INCARCERATED PRO SE PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 16(b) and LR 16-1, this Scheduling Order shall be filed and served by the Clerk upon the parties or their counsel, if there is counsel of record, when the first answer is filed in this action. When the term "counsel" is used in this Scheduling Order, it shall include any and all parties appearing *pro se*.

**IT IS HEREBY ORDERED:**

1. Any and all pleadings that may be brought under Fed. R. Civ. P. 13 & 14, or joining additional parties under Fed. R. Civ. P. 19 & 20, shall be filed within **sixty days** from the date of this Order, or by **May 24, 2016**. Any party causing additional parties to be joined or brought into this action shall contemporaneously therewith cause a copy of this Order to be served upon the new party or parties.
2. Amendments to pleadings as provided for under Fed. R. Civ. P. 15, if the same are allowed without leave of Court, or motions for leave to amend, shall comply with LR 15-1 and shall be filed and served within **sixty days** from the date of this order which is **May 24, 2016**.
3. **DISCOVERY:**
  - a. Pursuant to LR 16-1(b), discovery in this action shall be completed on or before **ninety days** from the date of this order which is **June 23, 2016**.

- b. Pursuant to Fed. R. Civ. P. 33(1)(1), unless otherwise stipulated or ordered by the court, a party may serve on any other party no more than twenty-five (25) written interrogatories, including discreet subparts.
- c. Pursuant to LR 26-8, unless otherwise ordered by the Court, written discovery, including responses thereto, certificates of service pertaining thereto and deposition transcripts, shall **not** be filed with the Court. Originals of responses to written discovery requests shall be served on the party who served the discovery request and that party shall make such originals available at the pretrial hearing, at trial, or on order of the Court. Likewise, the deposing party shall make the original transcript of a deposition available at any pretrial hearing, at trial, or on order of the Court.

4. **EXTENSIONS OF DISCOVERY:** Pursuant to LR 26-4, an extension of the discovery deadline will not be allowed without a showing of good cause. All motions or stipulations to extend discovery shall be received by the Court at least **twenty days** prior to the expiration of any extension thereof that may have been approved by the Court. The motion or stipulation shall include:

- a. A statement specifying the discovery completed by the parties as of the date of the motion or stipulation;
- b. A specific description of the discovery which remains to be completed;
- c. The reasons why such remaining discovery was not completed within the time limit of the existing discovery deadline; and
- d. A proposed schedule for the completion of all remaining discovery.

5. Any discovery motions shall be filed and served no later than **one hundred five days** from the date of this Order, which is **July 8, 2016**.

6. Motions for summary judgment shall comply with the requirements of LR 56-1 and shall be filed and served no later than **thirty days after the close of discovery**, *i.e.*, by **August 8, 2016**.

1           7. No motion filed beyond the time limit fixed by this Scheduling Order shall be  
2           considered by the Court unless the Court grants an exception for good cause shown.  
3           8. In the event that the Federal Rules of Civil Procedure provide for any shorter time  
4           periods for the filing of motions or pleadings, said shorter time limits shall apply  
5           notwithstanding the time limits set forth in this Scheduling Order. Pursuant to the  
6           authority given to the Court in Fed. R. Civ. P. 16(b), motions for summary judgment  
7           under Fed. R. Civ. P. 56, must be filed no later than the time provided in paragraph 6  
8           of this Order.  
9           9. **PRETRIAL:** Pursuant to LR 16-3(a), the parties shall file a Joint Pretrial Order  
10           **thirty days** past the date for filing motions for summary judgment, or by **September**  
11           **6, 2016**. In the even dispositive motions are filed, the date for filing the joint pretrial  
12           order shall be suspended until thirty days after a decision of the dispositive motions or  
13           until further order of the court.  
14           10. Any party who desires an amendment to this Scheduling Order shall, within **sixty**  
15           **days** hereof or by **May 24, 2016**, file and serve a statement of proposed amendments  
16           and the reasons therefor. Each other party shall then have **fourteen days** within  
17           which to file and serve a response thereto. After expiration of the sixty-day period,  
18           any amendment of this Scheduling Order shall be granted only upon motion and good  
19           cause shown.  
20           11. In all circumstances where a party or counsel is required to effect service hereunder, a  
21           certificate of such service shall be filed forthwith with the Clerk of the Court.

22           DATED this 25th day of March, 2016.

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25           PEGGY A. LEEN  
26           UNITED STATES MAGISTRATE JUDGE  
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